

# Planning Proposal

To progress certain site specific proposals  
supported under Wingecarribee Local  
Planning Strategy 2015-2031

Prepared in accordance with s.3.33 of Division 3.4 of  
the *Environmental Planning & Assessment Act 1979*

Version 4 – For Gateway Determination.

April 2018



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## LOCAL GOVERNMENT AREA : WINGECARRIBEE SHIRE COUNCIL

### ATTACHMENTS WHICH FORM PART OF THIS PLANNING PROPOSAL

1	Report to Council – 10 May 2017
2	Resolution of Council – 10 May 2017
3	Report to Council - 2 July 2017
4	Resolution of Council – 12 July 2017
5	Report to Council - 11 October 2017
6	Resolution of Council – 11 October 2017
7	Evaluation Criteria for Delegation of Plan Making Functions
8	Planning Proposal #1 - Lots 55-60, 64 DP751252, Nathan Street Berrima – amend Schedule 1 to permit development of 4 residential lots.
9	Planning Proposal #2 - Lots 194,195, 198-200, 202-207 & 208 - 214 DP75 Odessa Street and Australia Avenue Berrima – be amalgamated into four (4) lots and be zoned E4 Environmental Living with a minimum lot size of 3 hectares.
10	Planning Proposal #3 - Lot 109 DP 664112, 2 Wilson Drive, Hill Top – amend Schedule 1 to permit residential dwelling.
11	Planning Proposal #4 - Rezone land at Mittagong railway station from SP2 Rail Infrastructure to B4 Mixed Use, height 10 metres, FSR 0.5:1.
12	Planning Proposal #5 - Lot 15 DP 15496 (12 Gibraltar Road Bowral), Lot 114 DP 15496 (14 Gibraltar Road Bowral), Lot 112 DP 15496 (18 Gibraltar Road Bowral), Lot 103 DP 15496 (7 Gibraltar Road Bowral), Lot 105 DP 15496 (11 Gibraltar Road Bowral), Lot 106 DP 15496 (13 Gibraltar Road Bowral), Part Lot 107 DP 15496 (15 Gibraltar Road Bowral), Lot 108 DP 15496 (17 Gibraltar Road Bowral) and Lot 109 DP 15496 (19 Gibraltar Road Bowral) – apply minimum lot size of 1 hectare.
13	Planning Proposal #6 - Lot 50 DP556644, 2A Cliff Street, Bowral - amend Schedule 1 to permit development for the purposes of a two lot residential subdivision.
14	Planning Proposal #7 - Lot 22 DP792646, Wyeera, 460 Kangaloon Road, Bowral – rezone from E3 Environmental Management to RE2 Private Recreation.

## INTRODUCTION AND SUMMARY OF PROPOSALS

*Wingecarribee Local Planning Strategy 2015-2031* was adopted by Council on 23 March 2016 and conditionally endorsed by the Department of Planning and Environment on 15 May 2017.

All matters included in this Planning Proposal are included in the relevant Precinct Plan of the Strategy. The Precinct Plans are included in that part of the Strategy which has been endorsed.

All properties were assessed by Council and supported for inclusion in the relevant Local Planning Strategy Precinct Plan following public exhibition. All properties have been inspected by staff from the Department of Planning and Environment prior to endorsement and all Planning Proposals included below are consistent with both Council's and the Department's endorsement.

The individual Planning Proposals submitted in response to Council's adoption of the *Wingecarribee Local Planning Strategy 2015-2031* and the Department's subsequent endorsement have been grouped to create this 'comprehensive' Planning Proposal. The intended outcomes of each individual Planning Proposal are summarised below.

Each Planning Proposal is considered separately for the purposes of consistency with s.9.1 Directions (formerly s.117) of the *Environmental Planning & Assessment Act 1979* and for consistency with all relevant State Environmental Planning Policies (SEPPs).

The individual Planning Proposals included this comprehensive Proposal are listed overleaf:

	Site Details	Proposed Amendment
1.	Lots 55-60, 64 DP751252, Nathan Street Berrima.	Amend Schedule 1 to permit development of 4 residential lots
2.	Lots 194,195, 198-200, 202-207 & 208 - 214 DP75 Odessa Street and Australia Avenue Berrima.	Amalgamate into four (4) lots and zone E4 Environmental Living with a Minimum Lot Size of 3 hectares.
3.	Lot 109 DP 664112, 2 Wilson Drive, Hill Top.	Amend Schedule 1 to permit development for the purposes of a residential dwelling.
4.	Surplus Land at Mittagong railway station.	Rezone from SP2 Rail Infrastructure to B4 Mixed Use with a Maximum Height of 10 metres & a Floor Space Ratio of 0.5:1.
5.	Lot 15 DP 15496 (12 Gibraltar Road Bowral), Lot 114 DP 15496 (14 Gibraltar Road Bowral), Lot 112 DP 15496 (18 Gibraltar Road Bowral), Lot 103 DP 15496 (7 Gibraltar Road Bowral), Lot 105 DP 15496 (11 Gibraltar Road Bowral), Lot 106 DP 15496 (13 Gibraltar Road Bowral), Part Lot 107 DP 15496 (15 Gibraltar Road Bowral), Lot 108 DP 15496 (17 Gibraltar Road Bowral) and Lot 109 DP 15496 (19 Gibraltar Road Bowral).	Amend the Minimum Lot Size to 1 hectare.
6.	Lot 50 DP556644, 2A Cliff Street, Bowral.	Amend Schedule 1 to permit development for the purposes of a two lot residential subdivision.
7.	Lot 22 DP792646, Wyeera, 460 Kangaloon Road, Bowral.	Rezone from E3 Environmental Management to RE2 Private Recreation.

## OBJECTIVES AND JUSTIFICATIONS

The objectives of each Proposal and its justification are contained below and reflect assessments undertaken by Council staff and Resolutions of Council in response to reports considered.

## 1 – Nathan Street Berrima – Amend Schedule 1 to permit development of 4 residential lots

During the preparation of the Wingecarribee Local Planning Strategy 2015-2031 Council received a Planning Proposal seeking an amendment to WLEP 2010 to permit four (4) dwelling allotments on land in Berrima with a combined area of 9.4 hectares, comprising lots 55-60 and 64 in DP751252. The location of the subject land is indicated in **Figure 1** below. Lots 55-60 are contiguous and form the bulk of the site with a combined area of approximately 6 hectares, while Lot 64 is a separate parcel of approximately 3.4 hectares at the south western edge of the site.



Figure 1

The land is zoned E3 Environmental Management with a minimum lot size of 40 hectares. The majority of the site is located within the Berrima Landscape Conservation Area with the exception of most of Lot 64 which is outside of this area.

The initial submission was assessed and it was determined that there was sufficient strategic merit to include the subject land within the draft Berrima Village Precinct Plan for the purposes of public exhibition as resolved below:

### RESOLUTION OF COUNCIL 24 JUNE 2015

***THAT the amendment of WLEP 2010 to achieve a total of four (4) lots from Lots 55-60, 64 DP 751252, 59 Nathan Street, Berrima, be supported for inclusion in the Berrima Precinct Plan prior to exhibition of the draft Local Planning Strategy 2015-2031.***

Some 16 submissions were received during the exhibition period, all of them objecting to the proposal. Most submissions addressed concerns that the subject land is within the Berrima

Landscape Conservation Area which provides an important 'green space' between Berrima and New Berrima.

It is noted that the Berrima Landscape Conservation Area does not prohibit residential development, but rather ensures that any impacts, especially visual impacts are minimised through the identification of appropriate building envelopes on the amalgamated sites and the application of strict DCP controls.

There is limited remaining housing capacity within Berrima Village and the provision of four (4) additional dwelling lots is considered an acceptable contribution to housing needs without adversely impacting the heritage value of the village. A suggested layout of the proposed lots follows.



Planning staff from the Department of Planning and Environment inspected the site and offered no objection to the Proposal.

The proposal was subsequently included in the adopted Wingecarribee Local Planning Strategy 2015-2031 as per the resolution below.

<b>RESOLUTION OF COUNCIL 23 MARCH 2016</b>
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***THAT the amendment of WLEP 2010 to achieve a total of four (4) lots from Lots 55-60 and 64 DP 751252, 59 Nathan Street, Berrima, be supported for inclusion in the Berrima Precinct Plan of the adopted Wingecarribee Local Planning Strategy 2015-2031.***

The Berrima Village Precinct Plan is included in that part of the Wingecarribee Local Planning Strategy 2015-2031 endorsed by the State Government on 15 May 2017. A copy of the site specific inclusion forms **Attachment 8A** to this Proposal.

A Planning Proposal was subsequently lodged by the proponent seeking to progress the matter and forms **Attachment 8B** to this document. The Planning Proposal was reviewed by Council and at its Ordinary Meeting of Council held on 12 July 2017, Council resolved:

***THAT Lots 55 to 60 DP751252 be amalgamated into three (3) lots which together with Lot 64 DP751252, Nathan Street, Berrima, be included in Schedule 1 (Additional Permitted Uses) of Wingecarribee Local Environmental Plan 2010 permitting development for the purpose of a dwelling house on each lot.***

It is noted that any future use of the created allotments under the proposed WLEP 2010 amendments would be the subject of separate Development Applications.

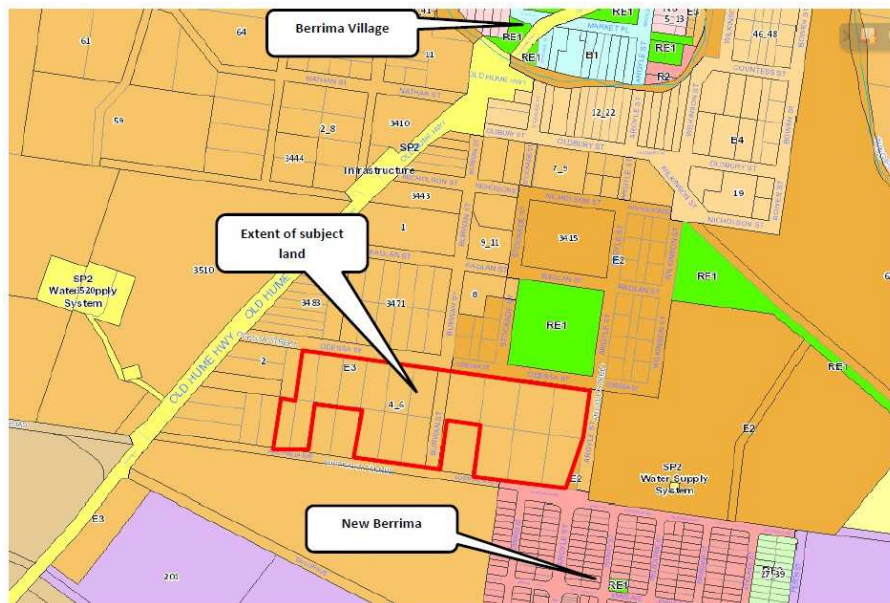


**2 – Odessa Street & Australia Avenue Berrima – Amalgamate into four (4) lots and zone E4 Environmental Living with a Minimum Lot Size of 3 hectares.**

The subject land comprises 18 lots. During the preparation of the Wingecarribee Local Planning Strategy 2015-2031 Council received a Planning Proposal seeking an amendment to WLEP 2010 to amalgamate these lots into three (3) residential dwelling lots. The site is separated into 2 portions that together have an area of approximately 13.62 hectares as follows:

- The western end of the site made up of Lots 194 & 195 DP75 fronting Australia Avenue and Lots 202-207 DP75 and Lots 198-200 DP75 in the middle of the site, west of Burwan Street. This part of the site has an area of approximately 6.83 hectares; and
- The eastern end of the site made up of Lots 208 - 214 DP75 east of Burwan Street which has a total area of approximately 6.79 hectares.

The location of the subject land is indicated in **Figure 2** below. The land is zoned E3 Environmental Management with a minimum lot size of 40 hectares and is located wholly within the Berrima Landscape Conservation Area.



**Figure 2**

The initial submission was assessed and it was determined that there was sufficient strategic merit to include the subject land within the draft Berrima Village Precinct Plan for the purposes of public exhibition as resolved below:



**RESOLUTION OF COUNCIL 24 JUNE 2015**

**THAT the rezoning of Lots 194, 198, 202-214 DP 751252 4-6 Odessa Street & Australia Avenue, Berrima, to RU4 Primary Production Small Lots with a minimum lot size of 4ha, be supported for inclusion in the Berrima Precinct Plan prior to public exhibition of the draft Local Planning Strategy 2015-2031.**

Some 17 submissions were received during the exhibition period, 16 of them objecting to the proposal and one supporting it.

It is noted that the Berrima Landscape Conservation Area does not prohibit residential development, but rather ensures that any impacts, especially visual impacts are minimised through the identification of appropriate building envelopes on the amalgamated sites and the application of strict DCP controls.

There is limited remaining housing capacity within Berrima Village and the provision of four (4) additional dwelling lots is considered an acceptable contribution to housing needs without adversely impacting the heritage value of the village.

Planning staff from the Department of Planning and Environment inspected the site and offered no objection to the Proposal.

The proposal was subsequently included in the adopted Wingecarribee Local Planning Strategy 2015-2031 as per the resolution below.

**RESOLUTION OF COUNCIL 23 MARCH 2016**

**THAT the rezoning to RU4 Primary Production Small Lots with a minimum lot size of 4 ha of Lots 194-195, 198-200, 202-211, Pt Lots 213-214 DP 751252, 4-6 Odessa Street Berrima, be supported for inclusion in the Berrima Precinct Plan of the adopted Wingecarribee Local Planning Strategy 2015-2031.**

The Berrima Village Precinct Plan is included in that part of the Wingecarribee Local Planning Strategy 2015-2031 endorsed by the State Government on 15 May 2017. A copy of the site specific inclusion forms **Attachment 9A** to this Proposal.

A Planning Proposal to progress this matter was then lodged with Council and forms **Attachment 9B** to this document. The Planning Proposal was assessed and it was noted that it seeks to rezone the land to E4 Environmental Living instead of RU4 Primary Production Small Lots as originally proposed, although the resolution to include the subject land in the Local Planning Strategy Precinct Plan does not specify a zoning.

It also presents a case for applying a minimum lot size of 3 hectares rather than the 4 hectares contained within the adopted Strategy due to the configuration of the total site. This would achieve a total of four (4) lots instead of three (3) as indicated in the following proposed lot layout.



These proposed variations to the adopted Strategy were received and considered to have merit. It is noted that any future use of the created allotments under the proposed WLEP 2010 amendments would be the subject of separate Development Applications.

At its Ordinary Meeting of Council held on 12 July 2017, Council resolved:

***THAT Lots 194 & 195, 198-200, 202-207 and 208-214, Odessa Street and Australia Avenue, Berrima, be amalgamated into four (4) lots as indicated in the proposed lot layout submitted with the Planning Proposal and be zoned E4 Environmental Living with a minimum lot size of 3 hectares under Wingecarribee Local Environmental Plan 2010.***

### 3 – 2 Wilson Drive Hill Top – Amend Schedule 1 to permit development for the purposes of a residential dwelling.

During the preparation of the Wingecarribee Local Planning Strategy 2015-2031 Council received a Planning Proposal seeking to amend WLEP 2010 to enable a dwelling entitlement on land at Hill Top. The subject land, Lot 109 DP 664112, 2 Wilson Drive, Hill Top, adjoins the southern urban boundary of Hill Top. The location of the subject land is indicated in **Figure 3** below.

Access to the lot is via Old Wilson Drive which runs adjacent to and parallel to Wilson Drive on the approach to the eastern side of the village. The land is zoned E3 Environmental Management with a minimum lot size of 40 hectares. It contains an area of Hawkesbury Sandstone Woodland to the front of the site which is not classified as an Endangered Ecological Community.



Figure 3

The initial submission was assessed and it was determined that there was sufficient strategic merit to include the subject land within the draft Hill Top Village Precinct Plan for the purposes of public exhibition. Planning staff from the Department of Planning and Environment inspected the site and offered no objection to the Proposal.

The proposal was subsequently included in the adopted Wingecarribee Local Planning Strategy 2015-2031 as per the resolution below.

<b>RESOLUTION OF 23 MARCH 2016</b>
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***THAT an amendment of WLEP 2010 to enable a dwelling to be constructed on Lot 109 DP 664112, 2 Wilson Drive Hill Top, be supported for inclusion in the Hill Top Precinct Plan of the Wingecarribee Local Planning Strategy 2015-2031.***

A copy of the site specific inclusion in the Wingecarribee Local Planning Strategy 2015-2031 forms **Attachment 10A** to this Proposal. The Hill Top Village Precinct Plan is included in that part of the Wingecarribee Local Planning Strategy 2015-2031 endorsed by the State Government on 15 May 2017.

A Planning Proposal to progress the matter was submitted to Council and forms **Attachment 10B** to this document. The Proposal was reviewed and the strategic merits identified in previous assessments of the proposal are considered to remain valid.

The Proposal recommends achieving the desired outcome by either rezoning the land or including it in Schedule 1 of WLEP 2010 to permit development for the purposes of a dwelling house. The latter option is preferred and at its Ordinary Meeting of Council held on 12 July 2017, Council resolved:

***THAT Wingecarribee Local Environmental Plan 2010 be amended to include Lot 109 DP 664112, 2 Wilson Drive, Hill Top, in Schedule 1 (Additional Permitted uses) to permit development for the purposes of a dwelling house.***

It is noted that any future use of the site under the proposed WLEP 2010 amendments would be the subject of a separate Development Application.



**4 – Rezone surplus railway land at Mittagong from SP2 Rail Infrastructure to B4 Mixed Use with a Maximum Height of 10 metres & a Floor Space Ratio of 0.5:1.**

During the preparation of the Wingecarribee Local Planning Strategy 2015-2031 Council received a Planning Proposal seeking to amend WLEP 2010 to rezone to B4 Mixed Use surplus land at Mittagong Railway Station leased from ARTC in order to permit development of the site for commercial markets.

The leased area covers some 14,117m<sup>2</sup>, is zoned SP2 Rail Infrastructure and is located adjacent to the Mittagong Railway Station. The location of the subject land is indicated in **Figure 4** below.



**Figure 4**

The initial submission was assessed and it was determined that there was sufficient strategic merit to include the subject land within the draft Mittagong Township Precinct Plan for the purposes of public exhibition as resolved below:

**RESOLUTION OF COUNCIL 24 JUNE 2015**

***THAT the rezoning to B4 Mixed Use under WLEP 2010 of the leased portion of the SP2 Rail Infrastructure land at Mittagong Railway Station be supported and included in Mittagong Precinct Plan prior to public exhibition of the draft Local Planning Strategy 2015-2031.***

No submissions were received and Planning staff from the Department of Planning and Environment inspected the site and offered no objection to the Proposal. The proposal was subsequently included in the adopted Wingecarribee Local Planning Strategy 2015-2031 as per the resolution below.

**RESOLUTION OF COUNCIL 23 MARCH 2016**

***THAT the rezoning to B4 Mixed Use under WLEP 2010 of the leased portion of the SP2 Rail Infrastructure land at Mittagong Railway Station be supported and included in Mittagong Precinct Plan prior to public exhibition of the draft Local Planning Strategy 2015-2031.***

A copy of the site specific inclusion in the Wingecarribee Local Planning Strategy 2015-2031 forms **Attachment 11A** to this Proposal.

The Mittagong Township Precinct Plan is included in that part of the Wingecarribee Local Planning Strategy 2015-2031 endorsed by the State Government on 15 May 2017.

A Planning Proposal to progress the matter was submitted to Council by the proponent in May 2016 and forms **Attachment 11B** to this document. The Planning Proposal was reviewed by Council and at its Ordinary Meeting of Council held on 12 July 2017, Council resolved:

***THAT Wingecarribee Local Environmental Plan 2010 be amended to zone that portion of land adjoining Mittagong railway station which is the subject of a lease between ARTC and the proponent, from SP2 Rail Infrastructure to B4 Mixed Use with a maximum height of 10m and a maximum floor space ratio of 0.5:1.***

It is noted that any future use of the site under the proposed WLEP 2010 amendments would be the subject of a separate Development Application.



## 5 –Gibraltar Road Mittagong – Amend the Minimum Lot Size to 1 hectare.

During the preparation of the Wingecarribee Local Planning Strategy 2015-2031 Council received a Planning Proposal seeking to amend WLEP 2010 to reduce the minimum lot size to 2 hectares to enable a two lot subdivision of land at Mittagong. The subject land, Lot 107 DP 15496, 15 Gibraltar Road, Mittagong, is located on the southern boundary of the Mittagong Township urban area. The location of the subject land is indicated in **Figure 5** below.

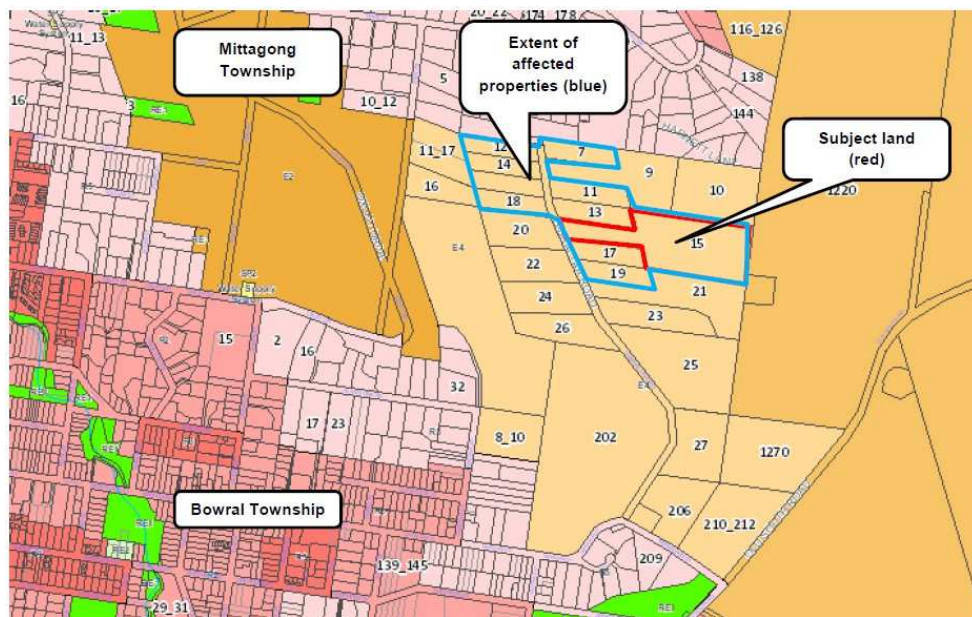


Figure 5

The site contains two separate dwellings one located in the narrower portion closer to Gibraltar Road, the other within the wider rear portion of the site. The land is zoned E4 Environmental Living with a minimum lot size of 4 hectares. The site has an area of approximately 6.5 hectares with a narrow portion closest to the street of approximately 1 hectare consistent with adjoining lots along Gibraltar Road.

Council would not normally support such a request however the existing street pattern of Gibraltar Road consists of properties of approximately 1 hectare in area with only three (3), including the subject site, comprising larger areas with a narrower portion close to Gibraltar Road of an approximate area of 1 hectare. **Figure 5** above indicates this street pattern.

In view of this unusual pattern with many of the lots below the minimum lot size of 4 hectares, it was considered that a more strategic approach be taken of amending the minimum lot size of the immediate area to 1 hectare to enable those smaller lots of have a dwelling entitlement under the minimum lot size rather than relying on other provisions in the LEP.

This proposal was included within the draft Mittagong Township Precinct Plan for the purposes of public exhibition as resolved below:

**RESOLUTION OF COUNCIL 24 JUNE 2015**

***THAT the reduction in minimum lot size to 1ha of Lot 107 DP 15496, 15 Gibraltar Road, Mittagong, be supported for inclusion in the Mittagong Precinct Plan prior to public exhibition of the draft Local Planning Strategy 2015-2031 AND THAT as part of any subsequent Planning Proposal additional lots in the vicinity of the subject site also be considered for a reduction in minimum lot size to 1ha.***

No submissions were received and Planning staff from the Department of Planning and Environment inspected the site and offered no objection to the Proposal.

The proposal was subsequently included in the adopted Wingecarribee Local Planning Strategy 2015-2031 as per the resolution below.

**RESOLUTION OF COUNCIL 23 MARCH 2016**

***THAT the amendment of WLEP 2010 to achieve a total of four (4) lots from Lots 55-60 and 64 DP 751252, 59 Nathan Street, Berrima, be supported for inclusion in the Berrima Precinct Plan of the adopted Wingecarribee Local Planning Strategy 2015-2031.***

A copy of the site specific inclusion in the Wingecarribee Local Planning Strategy 2015-2031 forms **Attachment 12A** to this Proposal.

The Mittagong Township Precinct Plan is included in that part of the Wingecarribee Local Planning Strategy 2015-2031 endorsed by the State Government on 15 May 2017.

A Planning Proposal to permit the rezoning and subdivision of 15 Gibraltar Road Mittagong was subsequently submitted to Council seeking to progress the resolution as included in the adopted Strategy. This Proposal forms **Attachment 12B** to this document.

The intent of the resolution in the adopted Local Planning Strategy is to apply the 1 hectare minimum lot size to that portion of the site closest to Gibraltar Road which contains one of the existing dwellings and which would maintain the existing street pattern of smaller lots of approximately 1 hectare. The remainder of the site would retain the current 4 hectare minimum. This achieves the intended outcome for the subject site and also enables those existing lots which are at 1 hectare to rely on the minimum lot size map for their dwelling entitlement.

Two other lots on the eastern side of Gibraltar Road have a similar configuration to the subject land, Number 9 and Number 21. Number 9 contains one dwelling located close to Gibraltar Road and covers an area of some 3.4 hectares. Number 21 contains one dwelling located in the rear portion of the site and covers an area of some 3.7 hectares. Neither lot contains two dwellings. Therefore it is not intended to vary the minimum lot size of these two lots as to do so would create two additional allotments with the potential for two new dwellings.

At its Ordinary Meeting of Council held on 12 July 2017, Council resolved:

***THAT Wingecarribee Local Environmental Plan 2010 be amended to reduce the minimum lot size to 1 hectare for the following properties: Lot 15 DP 15496 (12 Gibraltar Road Bowral), Lot 114 DP 15496 (14 Gibraltar Road Bowral), Lot 112 DP 15496 (18 Gibraltar Road Bowral), Lot 103 DP 15496 (7 Gibraltar Road Bowral), Lot 105 DP 15496 (11 Gibraltar Road Bowral), Lot 106 DP 15496 (13 Gibraltar Road Bowral), Part Lot 107 DP 15496 (15 Gibraltar Road Bowral), Lot 108 DP 15496 (17 Gibraltar Road Bowral) and Lot 109 DP 15496 (19 Gibraltar Road Bowral).***

It is noted that any future use of the site under the proposed WLEP 2010 amendments would be the subject of a separate Development Application.

## 6 – 2A Cliff Street Bowral - Amend Schedule 1 to permit development for the purposes of a two lot residential subdivision

During the preparation of the Wingecarribee Local Planning Strategy 2015-2031 Council received a Planning Proposal seeking to amend WLEP 2010 to enable the subdivision of an attached dual occupancy development on the site.

The subject land, Lot 50 DP556644, 2A Cliff Street, Bowral, is zoned R5 Large Lot Residential and adjoins the northern urban boundary of Bowral. The location of the subject land is indicated in **Figure 6** below. The minimum lot size of the R5 zone is 4000m<sup>2</sup> but the area of the subject land is only 700m<sup>2</sup>, the same as the adjoining R3 Medium Density Residential zone to the immediate south.

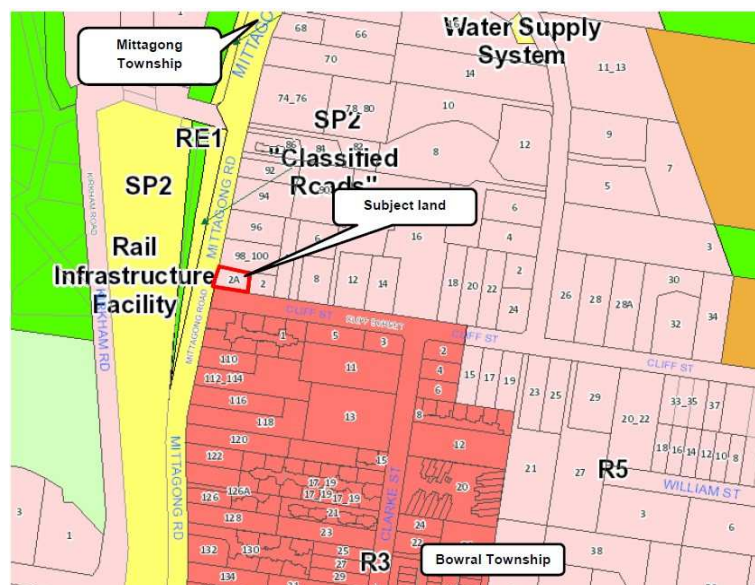


Figure 6

The initial submission was assessed and it was determined that, given two dwellings already exist on the site, the site is well below the minimum lot size of 4000m<sup>2</sup> and more comparable with the size of many adjoining lots in the R3 Medium Density Residential zone, and the site fronts Bowral Road on the R5/R3 zone interface, there was sufficient strategic merit to include the subject land within the draft Bowral Township Precinct Plan for the purposes of public exhibition.

### RESOLUTION OF 24 JUNE 2015

***THAT the reduction in the minimum lot size of Lot 50 DP 556644, 2A Cliff Street, Bowral, to permit the subdivision of the two existing dwellings be supported and included in the Bowral Precinct Plan prior to public exhibition of the draft Local Planning Strategy 2015-2031.***

No submissions were received and staff from the Department of Planning and Environment inspected the site and offered no objection to the Proposal. The proposal was subsequently included in the adopted Wingecarribee Local Planning Strategy 2015-2031 as per the resolution below.

<b>RESOLUTION OF COUNCIL 23 MARCH 2016</b>
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**THAT the reduction in the minimum lot size of Lot 50 DP 556644, 2A Cliff Street, Bowral, to permit the subdivision of the two existing dwellings be supported for inclusion in the Bowral Precinct Plan of the adopted Wingecarribee Local Planning Strategy 2015-2031.**

A copy of the site specific inclusion in the Wingecarribee Local Planning Strategy 2015-2031 forms **Attachment 13A** to this Proposal.

The Bowral Township Precinct Plan is included in that part of the Wingecarribee Local Planning Strategy 2015-2031 endorsed by the State Government on 15 May 2017.

A Planning Proposal to progress the matter was submitted to Council in August 2016 and forms **Attachment 13B** to this document. The Proposal was assessed and the strategic merits identified in previous assessments of the proposal are considered to remain valid. The Proposal nominated subdivision potential be achieved either by rezoning or including the land in Schedule 1 of WLEP 2010 to permit development for the purposes of a dwelling house. Schedule 1 is preferred as it limits the extent of the amendment to the current two dwellings without impacting on the zoning or minimum lot size of the site. At its Ordinary Meeting of Council held on 12 July 2017, Council resolved:

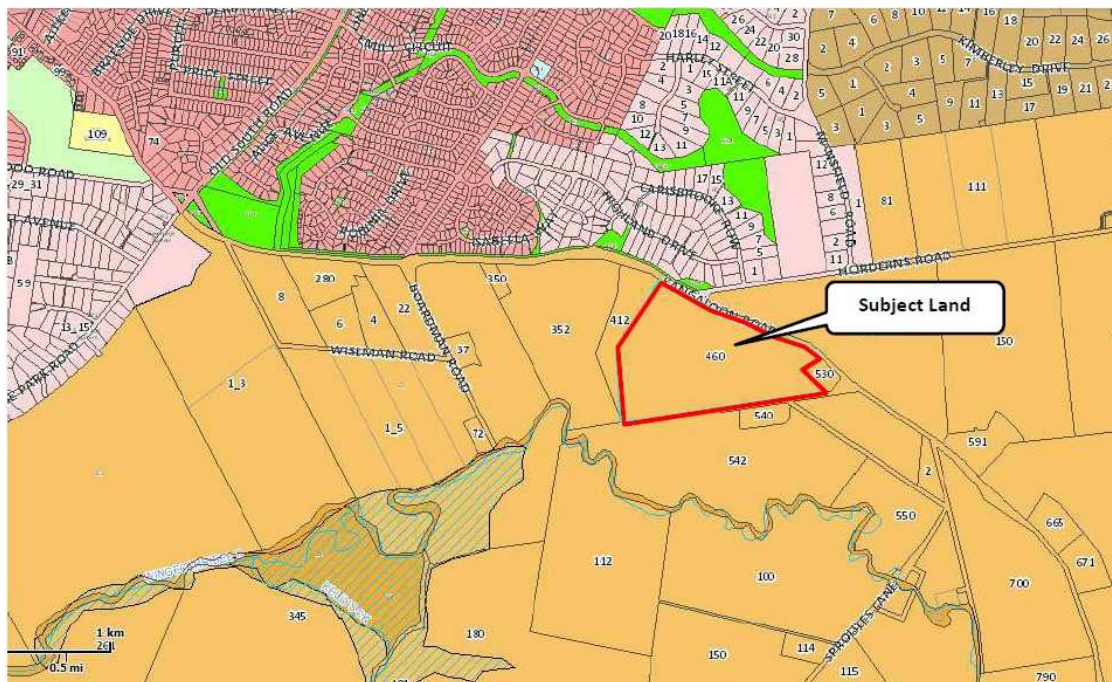
**THAT Wingecarribee Local Environmental Plan 2010 be amended to include Lot 50 DP556644, 2A Cliff Street Bowral, in Schedule 1 (Additional Permitted uses) to permit development for the purposes of a two lot residential subdivision.**

It is noted that any future use of the site, including subdivision under the proposed WLEP 2010 amendment would be the subject of a separate Development Application.



**7 – Lot 22 DP792646, Wyeera, 460 Kangaloon Road, Bowral – rezone from E3 Environmental Management to RE2 Private Recreation.**

The subject land is located on Kangaloon Road opposite Hordens Road to the east of the Bowral Township as shown in **Figure 7** below and covers an area of some 35 hectares. Surrounding land uses are predominantly rural and rural residential.



**Figure 7 - Location of Subject Site**

Over the years the site has developed from one which principally held the annual Bong Bong Picnic Races with little other activity to a site accommodating a range of equestrian related activities including dressage and polocrosse with regular equestrian events. The Bowral Dressage Club is now based at the site. In addition to these regular activities, the site is also used for events such as concerts and 'expos'.

Many of these events require individual Development Applications for temporary use which are time consuming for staff and expensive for the applicant. Rezoning the site to RE2 Private Recreation would enable these events to be more efficiently managed through an overarching Development Approval.

The Wingecarribee Local Planning Strategy 2015-2031 adopted by Council on 23 March 2016, contains the following recommendation:

*THAT Wyeera, Lot 22 DP 792646, 460 Kangaloon Road, Bowral be considered for rezoning to RE2 Private Recreation in the 2016 review of Wingecarribee Local Environmental Plan 2010.*



The Strategy notes that:

*While no formal submission was received regarding this property, Council has been in discussions with representatives from the Bong Bong Picnic Race Club Ltd with regard to the more efficient management of approvals for the various activities which occur on the site throughout the year. Council recognises that the site is an important regional venue and understands the difficulties of organising and holding events under the current approval arrangements.*

The Bowral Township Precinct Plan is included in that part of the Wingecarribee Local Planning Strategy 2015-2031 endorsed by the State Government on 15 May 2017.

A Planning Proposal, which forms **Attachment 14** to this document, was subsequently lodged with Council. The Planning Proposal was reviewed by Council and at its Ordinary Meeting of Council held on 12 July 2017, Council resolved:

**THAT the proposal to rezone land at Wyeera, 460 Kangaloon Road, Bowral, from E3 Environmental Management to RE2 Private Recreation, as contained in the adopted Wingecarribee Local Planning Strategy 2015-2031, BE SUPPORTED.**

It is noted that any future uses of the site would be the subject of a separate Development Application.

## PROPOSED MAP AMENDMENTS

The following map amendments will be required to achieve the Planning Proposal outcomes:

Proposal #	Maps	Details
2	Land Zoning	Lots 194,195, 198-200, 202-207 & 208 - 214 DP75 Odessa Street and Australia Avenue Berrima – rezone from E3 Environmental Management to E4 Environmental Living.
2	Lot Size	Lots 194,195, 198-200, 202-207 & 208 - 214 DP75 Odessa Street and Australia Avenue Berrima – amend from 40 hectares to 4 hectares.
11	Land Zoning	Portion of Mittagong railway station – rezone from SP2 Rail Infrastructure to B4 Mixed Use
11	Height of Buildings	Land at Mittagong railway station - apply height 10 metres
11	Floor Space Ratio	Land at Mittagong railway station - apply FSR 0.5:1.
12	Lot Size	Lot 15 DP 15496 (12 Gibraltar Road Bowral), Lot 114 DP 15496 (14 Gibraltar Road Bowral), Lot 112 DP 15496 (18 Gibraltar Road Bowral), Lot 103 DP 15496 (7 Gibraltar Road Bowral), Lot 105 DP 15496 (11 Gibraltar Road Bowral), Lot 106 DP 15496 (13 Gibraltar Road Bowral), Part Lot 107 DP 15496 (15 Gibraltar Road Bowral), Lot 108 DP 15496 (17 Gibraltar Road Bowral) and Lot 109 DP 15496 (19 Gibraltar Road Bowral) – apply a minimum lot size of 1 hectare.
14	Lot Zoning	Lot 22 DP792646, Wyeera, 460 Kangaloon Road, Bowral – rezone from E3 Environmental Management to RE2 Private Recreation.

## RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

### 1. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including draft strategies)?

The Sydney Canberra Corridor Regional Strategy was the relevant Regional Plan when the individual Planning Proposals were prepared. All Proposals identify that they were consistent with that Strategy. Council supports these assessments. The South East and Tablelands Regional Plan was adopted in July 2017. The following table provides an update of this strategic assessment and summarises the assessment of each Proposal against the relevant Goals and Directions under this Plan.

	Site Details	Proposed Amendment
1.	<b>Lots 55-60, 64 DP751252, Nathan Street Berrima.</b>	<b>Amend Schedule 1 to permit development of 4 residential lots</b>
	<p><b>Regional Plan Direction</b></p> <ul style="list-style-type: none"> <li>• <b>Goal 3 Healthy and connected communities</b> <ul style="list-style-type: none"> <li>○ Direction 23 – Protect the region's heritage</li> </ul> </li> <li>• <b>Goal 4 Environmentally sustainable housing choices</b> <ul style="list-style-type: none"> <li>○ Direction 24 – Deliver greater housing supply &amp; choice</li> <li>○ Direction 28 – Manage rural lifestyles</li> </ul> </li> </ul>	<p><b>Regional Plan Assessment</b></p> <p>The Regional Plan recognises that the SE &amp; Tablelands Region offers, and should continue to offer, a variety of housing options including rural residential. The Plan also recognises the heritage value of the Region to both residents and visitors.</p> <p>The Regional Plan references local housing strategies prepared by councils as the first step in identifying housing needs. The Wingecarribee Demographic and Housing Study was completed in 2010 and identified potential housing supply within each town and main village within the Shire. This study has been consistently used to inform the assessment of applications for residential development.</p> <p>Berrima was identified as having a limited supply of housing. The Proposal seeks to provide four (4) additional rural residential housing opportunities within the vicinity of Berrima village with access to Bowral Township.</p> <p>It is noted that the subject land is not located within the Berrima Conservation Area although it is located within the Berrima Landscape Conservation Area. Development is permitted within the Landscape Conservation Area in line with Council's DCP guidelines and controls.</p> <p>The Proposal involves site amalgamation to ensure that a suitable building envelope can be located for each lot created. Council assessed that development could occur without any adverse impact on the heritage value of Berrima and its surrounds.</p> <p>The proposal is considered a form of infill development as no rezoning is proposed and modest residential development will be achieved through site amalgamation.</p> <p>The provision of incremental infill development allows Council to meet its housing obligations while respecting strong community preferences, as articulated in the Community Strategic Plan, to not rezone greenfields site or extend town and village</p>

		<p>boundaries.</p> <p>Therefore the Proposal is considered to be <b><u>CONSISTENT</u></b> with the SE &amp; Tablelands Regional Plan.</p>
	<b>Site Details</b>	<b>Proposed Amendment</b>
2.	<b>Lots 194,195, 198-200, 202-207 &amp; 208 - 214 DP75 Odessa Street and Australia Avenue Berrima.</b>	<b>Amalgamate into four (4) lots and zone E4 Environmental Living with a Minimum Lot Size of 3 hectares.</b>
	<p><b>Regional Plan Direction</b></p> <ul style="list-style-type: none"> <li>• <b>Goal 3 Healthy and connected communities</b> <ul style="list-style-type: none"> <li>○ Direction 23 – Protect the region's heritage</li> </ul> </li> <li>• <b>Goal 4 Environmentally sustainable housing choices</b> <ul style="list-style-type: none"> <li>○ Direction 24 – Deliver greater housing supply &amp; choice</li> <li>○ Direction 28 – Manage rural lifestyles</li> </ul> </li> </ul>	<p><b>Regional Plan Assessment</b></p> <p>The Regional Plan recognises that the SE &amp; Tablelands Region offers, and should continue to offer, a variety of housing options including rural residential. The Plan also recognises the heritage value of the Region to both residents and visitors.</p> <p>The Regional Plan references local housing strategies prepared by councils as the first step in identifying housing needs. The Wingecarribee Demographic and Housing Study was completed in 2010 and identified potential housing supply within each town and main village within the Shire. This study has been consistently used to inform the assessment of applications for residential development.</p> <p>Berrima was identified as having a limited supply of housing. The Proposal seeks to provide four (4) additional rural residential housing opportunities within the vicinity of Berrima village with access to Bowral Township.</p> <p>It is noted that the subject land is not located within the Berrima Conservation Area although it is located within the Berrima Landscape Conservation Area. Development is permitted within the Landscape Conservation Area in line with Council's DCP guidelines and controls.</p> <p>The proposal is considered a form of infill development as modest residential development will be achieved through site amalgamation to ensure that a suitable building envelope can be located for each lot created. Council assessed that development could occur without any adverse impact on the heritage value of Berrima and its surrounds.</p> <p>The provision of incremental infill development</p>

		<p>allows Council to meet its housing obligations while respecting strong community preferences, as articulated in the Community Strategic Plan, to not rezone greenfields site or extend town and village boundaries.</p> <p>Therefore the Proposal is considered to be <b><u>CONSISTENT</u></b> with the SE &amp; Tablelands Regional Plan.</p>
	<b>Site Details</b>	<b>Proposed Amendment</b>
3.	<b>Lot 109 DP 664112, 2 Wilson Drive, Hill Top.</b>	<b>Amend Schedule 1 to permit development for the purposes of a residential dwelling.</b>
	<p><b>Regional Plan Direction</b></p> <ul style="list-style-type: none"> <li>• <b>Goal 4 Environmentally sustainable housing choices</b> <ul style="list-style-type: none"> <li>○ Direction 24 – Deliver greater housing supply &amp; choice</li> <li>○ Direction 28 – Manage rural lifestyles</li> </ul> </li> </ul>	<p><b>Regional Plan Assessment</b></p> <p>The Regional Plan recognises that the SE &amp; Tablelands Region offers, and should continue to offer, a variety of housing options including rural residential. The Plan also recognises the heritage value of the Region to both residents and visitors.</p> <p>The Regional Plan references local housing strategies prepared by councils as the first step in identifying housing needs. The Wingecarribee Demographic and Housing Study was completed in 2010 and identified potential housing supply within each town and main village within the Shire. This study has been consistently used to inform the assessment of applications for residential development.</p> <p>Hill Top was identified as having a good supply of housing although it is noted that potential bushfire impacts may severely limit development opportunities.</p> <p>The Proposal seeks to enable one (1) additional rural residential lot adjacent to the southern Hill Top village boundary.</p> <p>Therefore the Proposal is considered to be <b><u>CONSISTENT</u></b> with the SE &amp; Tablelands Regional Plan.</p>

	Site Details	Proposed Amendment
4.	Surplus Land at Mittagong railway station.	Rezone from SP2 Rail Infrastructure to B4 Mixed Use with a Maximum Height of 10 metres & a Floor Space Ratio of 0.5:1.
	<b>Regional Plan Direction</b> <ul style="list-style-type: none"> <li>• <b>Goal 1 A connected and prosperous economy</b> <ul style="list-style-type: none"> <li>○ Direction 12 – Promote business activities in urban centres</li> </ul> </li> <li>• <b>Goal 3 Healthy and connected communities</b> <ul style="list-style-type: none"> <li>○ Direction 23 – Protect the region's heritage</li> </ul> </li> </ul>	<b>Regional Plan Assessment</b> <p>The Regional Plan recognises that local centres will be focus for more intensive employment uses and public space improvements.</p> <p>The Proposal seeks to enable the establishment of all weather markets on surplus railway land providing local casual small business opportunities as well as providing a tourist attraction. The use of the surplus land in this way also creates a vibrancy and energy around the Mittagong Railway Station which is an Item of Local Heritage.</p> <p>The proposed markets are not considered to have any adverse impact on the existing Mittagong business area, but rather enhance it and offer a more varied shopping experience for residents and visitors.</p> <p>The proposed B4 Mixed Use zoning will offer the best opportunity for a variety of business uses.</p> <p>Therefore the Proposal is considered to be <b><u>CONSISTENT</u></b> with the SE &amp; Tablelands Regional Plan.</p>
	Site Details	Proposed Amendment
5.	Lot 15 DP 15496 (12 Gibraltar Road Bowral), Lot 114 DP 15496 (14 Gibraltar Road Bowral), Lot 112 DP 15496 (18 Gibraltar Road Bowral), Lot 103 DP 15496 (7 Gibraltar Road Bowral), Lot 105 DP 15496 (11 Gibraltar Road Bowral), Lot 106 DP 15496 (13 Gibraltar Road Bowral), Part Lot 107 DP 15496 (15 Gibraltar Road Bowral), Lot 108 DP 15496 (17 Gibraltar Road Bowral) and Lot 109 DP 15496 (19 Gibraltar Road Bowral).	Amend the Minimum Lot Size to 1 hectare.
	<b>Regional Plan Direction</b> <ul style="list-style-type: none"> <li>• <b>Goal 4 Environmentally</b></li> </ul>	<b>Regional Plan Assessment</b> <p>The Regional Plan recognises that the SE &amp;</p>



	<p><b>sustainable housing choices</b></p> <ul style="list-style-type: none"> <li>○ Direction 24 – Deliver greater housing supply &amp; choice</li> </ul>	<p>Tablelands Region offers, and should continue to offer, a variety of housing options including rural residential. The Plan also recognises the heritage value of the Region to both residents and visitors.</p> <p>The Proposal seeks to enable the subdivision of two (2) existing dwellings on a site of unusual configuration, but one well suited to the proposed subdivision.</p> <p>The provision of incremental infill development allows Council to meet its housing obligations while respecting strong community preferences, as articulated in the Community Strategic Plan, to not rezone greenfields site or extend town and village boundaries.</p> <p>Therefore the Proposal is considered to be <b><u>CONSISTENT</u></b> with the SE &amp; Tablelands Regional Plan.</p>
	<b>Site Details</b>	<b>Proposed Amendment</b>
6.	<b>Lot 50 DP556644, 2A Cliff Street, Bowral.</b>	<b>Amend Schedule 1 to permit development for the purposes of a two lot residential subdivision.</b>
	<p><b>Regional Plan Direction</b></p> <ul style="list-style-type: none"> <li>• <b>Goal 4 Environmentally sustainable housing choices</b> <ul style="list-style-type: none"> <li>○ Direction 24 – Deliver greater housing supply &amp; choice</li> </ul> </li> </ul>	<p><b>Regional Plan Assessment</b></p> <p>The Regional Plan recognises that the SE &amp; Tablelands Region offers, and should continue to offer, a variety of housing options including rural residential. The Plan also recognises the heritage value of the Region to both residents and visitors.</p> <p>The Proposal seeks to enable the subdivision of two (2) existing dwellings on a small corner allotment below the minimum lot size, but well suited to the proposed subdivision.</p> <p>The provision of incremental infill development allows Council to meet its housing obligations while respecting strong community preferences, as articulated in the Community Strategic Plan, to not rezone greenfields site or extend town and village boundaries.</p> <p>Therefore the Proposal is considered to be <b><u>CONSISTENT</u></b> with the SE &amp; Tablelands Regional Plan.</p>

	Site Details	Proposed Amendment
7.	Lot 22 DP792646, Wyeera, 460 Kangaloon Road, Bowral.	Rezone from E3 Environmental Management to RE2 Private Recreation.
	Regional Plan Direction	<p><b>Regional Plan Assessment</b></p> <p>The Regional Plan recognises that the SE &amp; Tablelands Region as an area which provides a range of recreational experiences offering the potential to capitalise on tourism opportunities, including international tourism, as well as offering recreation opportunities for residents.</p> <p>While the regional Plan identifies specific regional opportunities not related to Wingecarribee Shire, it also refers in more terms to the benefits of enhanced recreational experiences.</p> <p>Therefore the Proposal is considered to be <b><u>CONSISTENT</u></b> with the SE &amp; Tablelands Regional Plan.</p>

**2. Is the Planning Proposal consistent with a council's local strategy or other local strategic plan?**

All of the Planning Proposals are consistent with the Wingecarribee Local Planning Strategy 2015-2031, adopted by Council on 23 March 2016. The adopted Regional Plan was conditionally endorsed by the Department on 15 May 2017. Chapter Four (Meeting Our Housing Needs) was not endorsed, however the matters which form the subject of these Planning Proposals are all contained within the relevant Precinct Plans which were endorsed. Therefore this 'comprehensive' Planning Proposal is considered to be **CONSISTENT** with the endorsed part of the Wingecarribee Local Planning Strategy 2015-2031.

## CONSISTENCY WITH STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)

All Proposals are included in the endorsed part of the Wingecarribee Local Planning Strategy 2015-2031. Individual Planning Proposals subsequently submitted to Council included an assessment of the consistency of the Proposal with relevant SEPPs. Those justifications are summarised below.

SEPP	Relevance to Planning Proposal
No.1 Development Standards	Not relevant – replaced by Clause 4.6 of WLEP2010 as the mechanism for any variation to development standards.
No.14 Coastal Wetlands	Not relevant – There are no Coastal Wetlands within the Shire.
No.19 Bushland in Urban Areas	Not relevant – SEPP does not apply to Wingecarribee Shire.
No.21 Caravan Parks	Not relevant – None of the Planning Proposals intends to result in development of a Caravan Park.
No.26 Littoral Rainforests	Not relevant – SEPP does not apply to Wingecarribee Shire.
No.30 Intensive Agriculture	Not relevant – None of the Planning Proposals intends to result in IntensiveAgriculture.
No.33 Hazardous and Offensive Development	Not relevant – None of the Planning Proposals intends to result in Hazardous or Offensive development.
No.36 Manufactured Home Estates	Not relevant – None of the Planning Proposals intends to result in development of a Manufactured Home Estate.
No.44 Koala Habitat Protection	Relevant – SEPP applies to land within Wingecarribee Shire.  All Planning Proposals are considered to be <b><u>CONSISTENT</u></b> with this Policy because the Policy generally applies at the Development Application stage. Clause 16 of the SEPP provides for the preparation of a local environmental study if so warranted on a site.
No. 47 Moore Park Showground	Not relevant – SEPP does not apply to Wingecarribee Shire.
No.50 Canal Estate Development	Not relevant – None of the Planning Proposals intends to result in Canal Estate development.
No.52 Farm Dams and Other Works in Land and Water Management Plan Areas	Not relevant – SEPP does not apply to Wingecarribee Shire.
No.55 Remediation of Land	Not relevant – None of the Planning Proposals involves contaminated land.

No. 62 Sustainable Aquaculture	Not relevant – None of the Planning Proposals intends to result in Sustainable Aquaculture development.
No.64 Advertising and Signage	Relevant - SEPP applies to land within Wingecarribee Shire.  All Planning Proposals are considered to be <b><u>CONSISTENT</u></b> with this Policy because any advertising or signage associated with any development resulting from any Planning Proposal would be considered at the Development Application stage.
No.65 Design Quality of Residential Apartment Development	Relevant - SEPP applies to land within Wingecarribee Shire.  All Planning Proposals are considered to be <b><u>CONSISTENT</u></b> with this Policy because none of the Planning Proposals is intended for the purpose of residential apartment development.
No.70 Affordable Housing (Revised Schemes)	Not relevant – SEPP does not apply to Wingecarribee Shire.
No.71 Coastal Protection	Not relevant – SEPP does not apply to Wingecarribee Shire.
Affordable Rental Housing 2009	Relevant - SEPP applies to land within Wingecarribee Shire.  All Planning Proposals are considered to be <b><u>CONSISTENT</u></b> with this Policy because none of the Planning Proposals seeks to hinder or prevent affordable rental housing. Site 6 could even contribute to affordable rental housing.
Building Sustainability Index: Basix 2004	Relevant - SEPP applies to land within Wingecarribee Shire.  All Planning Proposals are considered to be <b><u>CONSISTENT</u></b> with this Policy because the provisions of the SEPP would be applied at the Development Application stage for any development resulting from this Planning Proposal.
Educational Establishments and Child Care Facilities 2017	Relevant - SEPP applies to land within Wingecarribee Shire.  All Planning Proposals are considered to be <b><u>CONSISTENT</u></b> with this Policy because none of the Planning Proposals is intended for the purpose of educational establishments or child care facilities.
Exempt and Complying Development Codes 2008	Relevant - SEPP applies to land within Wingecarribee Shire.  All Planning Proposals are considered to be <b><u>CONSISTENT</u></b> with this Policy because the provisions of the SEPP would be applied at the Development Application stage for any development resulting from this Planning Proposal.



Housing for Seniors or People with a Disability 2004	Relevant - SEPP applies to land within Wingecarribee Shire.  All Planning Proposals are considered to be <b><u>CONSISTENT</u></b> with this Policy because none of the Planning Proposals seeks to hinder or prevent housing for seniors or people with a disability. Site 6 could even contribute to such housing.
Infrastructure 2007	Relevant - SEPP applies to land within Wingecarribee Shire.  All Planning Proposals are considered to be <b><u>CONSISTENT</u></b> with this Policy because none of the Planning Proposals is intended for the purpose of infrastructure development.
Integration and Repeals 2016	Not relevant – SEPP does not apply to Wingecarribee Shire.
Kosciuszko national Park - Alpine Resorts 2007	Not relevant – SEPP does not apply to Wingecarribee Shire.
Kurnell Peninsula 1989	Not relevant – SEPP does not apply to Wingecarribee Shire.
Mining, Petroleum Production and Extractive Industries 2007	Relevant - SEPP applies to land within Wingecarribee Shire.  All Planning Proposals are considered to be <b><u>CONSISTENT</u></b> with this Policy because none of the Planning Proposals is intended for the purpose of mining or associated extractive industries.
Miscellaneous Consent Provisions 2007	Relevant - SEPP applies to land within Wingecarribee Shire.  All Planning Proposals are considered to be <b><u>CONSISTENT</u></b> with this Policy because none of the Planning Proposals is intended for the purpose of the erection of temporary structures.
Penrith Lakes Scheme 1989	Not relevant – SEPP does not apply to Wingecarribee Shire.
Rural Lands 2008	Relevant - SEPP applies to land within Wingecarribee Shire. All Planning Proposals are considered to be <b><u>CONSISTENT</u></b> with this Policy because none of the Planning Proposals involves the rezoning or subdivision of rural land.
State and Regional Development 2011	Relevant - SEPP applies to land within Wingecarribee Shire.  All Planning Proposals are considered to be <b><u>CONSISTENT</u></b> with this Policy because none of the Planning Proposals is deemed to be State Significant development .

State Significant Precincts 2005	<p>Relevant - SEPP applies to land within Wingecarribee Shire.</p> <p>All Planning Proposals are considered to be <b><u>CONSISTENT</u></b> with this Policy because none of the Planning Proposals is deemed to involve land or a scale of development that is relevant to the Policy.</p>
Sydney Drinking Water Catchment 2011	<p>Relevant - SEPP applies to land within Wingecarribee Shire.</p> <p>All Planning Proposals are considered to be <b><u>CONSISTENT</u></b> with this Policy because consultation with Water NSW will occur prior to public exhibition of the 'comprehensive' Planning Proposal. It is not anticipated that this referral will raise any concerns. Additional provisions of this SEPP will be addressed at the Development Application stage for any development resulting from this Planning Proposal.</p>
Sydney Region Growth Centres 2006	Not relevant – SEPP does not apply to Wingecarribee Shire.
Three Ports 2013	Not relevant – SEPP does not apply to Wingecarribee Shire.
Urban Renewal 2010	<p>Relevant - SEPP applies to land within Wingecarribee Shire.</p> <p>All Planning Proposals are considered to be <b><u>CONSISTENT</u></b> with this Policy because none of the Planning Proposals is deemed to involve land or a scale of development that is relevant to the Policy.</p>
Vegetation in Non-Rural Areas 2017	Not relevant – SEPP does not apply to Wingecarribee Shire.
Western Sydney Employment Area 2009	Not relevant – SEPP does not apply to Wingecarribee Shire.
Western Sydney Parklands	Not relevant – SEPP does not apply to Wingecarribee Shire.





## CONSISTENCY WITH APPLICABLE s.9.1 MINISTERIAL DIRECTIONS

All Proposals were the subject of a formal Planning Proposal submission lodged by the proponent. Each Planning Proposal included an assessment of its consistency with regard to applicable Directions issued by the Minister for Planning under section 9.1 (formerly s.117) of the *Environmental Planning & Assessment Act 1979*. These assessments are reproduced below. Where relevant, Council has also offered its own assessment.

### Planning Proposal #1 - Lots 55-60, 64 DP751252, Nathan Street Berrima – amend Schedule 1 to permit development of 4 residential lots.

Direction	Assessment
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	NA
1.2 Rural Zones	NA
1.3 Mining, Petroleum Production and Extractive Industries	NA
1.4 Oyster Aquaculture	NA
1.5 Rural Lands	
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	<p>The land is currently within the E3 Environmental Management zone of WLEP2010.</p> <p>This Direction does not allow a PP to reduce environmental protection standards that apply to the land.</p> <p>There are no particular environmental protection standards within the WLEP2010 that apply to the E3 zone. The WLEP2010 has natural resources sensitivity mapping for biodiversity and water. Lot 59 is affected by a Category 3 stream requiring a minimum 10 metre setback from the banks. Other than this, the site is not affected by either of these issues.</p> <p>The proposed change of zone would not</p>
	<p>alter the requirement for any development proposal (future dwelling house) to properly consider the environmental issues of water quality and bushfire hazard.</p> <p>The PP is not inconsistent with the Direction.</p>
2.2 Coastal Protection	NA
2.3 Heritage Conservation	<p>The land is within the Berrima Landscape Conservation Area under WLEP2010. It is considered that the PP would not give rise to development outcomes contrary to the heritage sensitivities of the land.</p>
2.4 Recreation Vehicle Areas	NA

<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	NA
3.2 Caravan Parks and Manufactured Home Estates	NA
3.3 Home Occupations	NA
3.4 Integrating Land Use and Transport	NA
3.5 Development Near Licensed Aerodromes	NA
3.6 Shooting Ranges	NA
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	NA
4.2 Mine Subsidence and Unstable Land	NA
4.3 Flood Prone Land	NA
4.4 Planning for Bushfire Protection	The subject land is mapped as bushfire prone on Council's Bushfire Hazard Maps. Lot 64 DP contains Category 1 Vegetation while lots 52-56 are free of vegetation but within the designated buffer zone. The requirements of Planning for Bushfire Protection will need to be fully considered when Development Applications for individual dwelling houses come forward subsequent to the amendment to the WLEP2010
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies NB: This Direction has been revised to include previous Directions 5.6 and 5.7.	The Sydney – Canberra Corridor Regional Strategy is in place and therefore relevant.
5.2 Sydney Drinking Water Catchments	The proposed amendment to WLEP2010 would still require any future development of the land to properly consider the requirements of the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011. Any development proposal would need to demonstrate a neutral or beneficial effect
	on water quality as a result of the development. The PP is not inconsistent with the Direction
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	NA
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	NA
5.8 Second Sydney Airport: Badgerys Creek	NA

5.9 North West Rail Link Corridor Strategy	NA
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	A PP that seeks to allow an agreed number of dwelling houses on designated land parcels, is not inconsistent with the Direction.
6.2 Reserving Land for Public Purposes	NA
6.3 Site Specific Provisions	The PP does not propose to have any site specific provisions

#### **Additional Council Comment**

It is noted that Direction 2.3 specifically relates to this Proposal therefore the following Council comments are included in addition to those provided by the proponent.

Council's initial assessment of the submission concluded that the rezoning of the subject site is CONSISTENT with this Direction in that it will not adversely impact on the heritage significance of the area. This conclusion is based on the following observations and assessments:

- The proposal is included in the Wingecarribee Local Planning Strategy 2015-2031 which was adopted by Council on 23 March 2016. The sections of the Strategy addressing heritage management in general and this site in particular, were endorsed by the Department of Planning & Environment on 15 May 2017.
- Although the subject site is located within the Berrima Landscape Conservation Area, that does not prevent residential development, but rather ensures that impacts, especially visual impacts are minimised through more stringent controls.
- There is limited remaining residential capacity within Berrima Village and the provision of four (4) additional dwellings towards the meeting of Wingecarribee housing needs, as requested by the Department, is considered a positive outcome without adversely impacting the heritage value of the village.

**Planning Proposal #2 - Lots 194,195, 198-200, 202-207 & 208 - 214 DP75 Odessa Street and Australia Avenue Berrima – amend Schedule 1 to permit development of 4 residential lots.**

Direction	Assessment
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	NA
1.2 Rural Zones	NA
1.3 Mining, Petroleum Production and Extractive Industries	NA
1.4 Oyster Aquaculture	NA
1.5 Rural Lands	
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	<p>The land is currently within the E3 Environmental Management zone of WLEP2010.</p> <p>This Direction does not allow a PP to reduce environmental protection standards that apply to the land.</p> <p>There are no particular environmental protection standards within the WLEP2010 that apply to the E3 zone. The WLEP2010 has natural resources sensitivity mapping for biodiversity and water. The site is affected by two (2) Category 3 Streams that require a 10 metre buffer distance to ensure bank stability and water quality.</p> <p>The proposed change of zone and minimum lot size, would not alter the requirement for any development proposal (future subdivision and/or dwelling house) to properly consider the environmental issues of water quality and bushfire hazard. With the proposed minimum lot size of 3 hectares, each subsequent development parcel will be capable of accommodating a</p>
	<p>dwelling house without environmental impact.</p> <p>The PP is not inconsistent with the Direction.</p>
2.2 Coastal Protection	NA



2.3 Heritage Conservation	The land is within the Berrima Landscape Conservation Area under WLEP2010 and a listed heritage item (The Gunyah) adjoins to the west. As part of a previous development proposal for the land (LUA14/0035), a Statement of Heritage Impact and a Visual Impact – Landscape Assessment were prepared. These documents were prepared to support a development proposal of a much higher density than now proposed. The conclusions of these reports were that development could proceed without impact on the heritage sensitivities of the site and its surrounds. At a very much reduced density of development that that previously assessed, the PP is not considered to be inconsistent with the direction to protect and conserve heritage values
2.4 Recreation Vehicle Areas	NA
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	NA
3.2 Caravan Parks and Manufactured Home Estates	NA
3.3 Home Occupations	NA
3.4 Integrating Land Use and Transport	NA
3.5 Development Near Licensed Aerodromes	NA
3.6 Shooting Ranges	NA
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	NA
4.2 Mine Subsidence and Unstable Land	NA
4.3 Flood Prone Land	NA
4.4 Planning for Bushfire Protection	<p>The subject land does not contain vegetation that is mapped as bushfire prone on Council's Bushfire Hazard Maps, however the site falls within the resultant buffer areas.</p> <p>The requirements of Planning for Bushfire Protection will need to be fully considered when Development Applications for subdivision of land and/or individual dwelling houses come forward subsequent to the amendment to the WLEP2010.</p>
	However, it is not considered to be a high risk site and compliance is expected to be achieved without concern.





5. Regional Planning	Relevant Policy Context
5.1 Implementation of Regional Strategies NB: This Direction has been revised to include previous Directions 5.6 and 5.7.	The Sydney – Canberra Corridor Regional Strategy is in place and therefore relevant.
5.2 Sydney Drinking Water Catchments	The proposed amendment to WLEP2010 would still require any future development of the land to properly consider the requirements of the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011. Any development proposal would need to demonstrate a neutral or beneficial effect on water quality as a result of the development. Within a 3 hectare site, this is achievable. The PP is not inconsistent with the Direction
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	NA
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	NA
5.8 Second Sydney Airport: Badgerys Creek	NA
5.9 North West Rail Link Corridor Strategy	NA
6. Local Plan Making	
6.1 Approval and Referral Requirements	A PP that seeks to rezone the land and provide for a minimum lot size for subdivision is not inconsistent with the Direction.
6.2 Reserving Land for Public Purposes	NA
6.3 Site Specific Provisions	The PP does not propose to have any site specific provisions

#### Additional Council Comment

It is noted that Direction 2.3 specifically relates to this Proposal therefore the following Council comments are included in addition to those provided by the proponent.

Council's initial assessment of the submission concluded that the rezoning of the subject site is CONSISTENT with this Direction in that it will not adversely impact on the heritage significance of the area. This conclusion is based on the following observations and assessments:

- The proposal is included in the Wingecarribee Local Planning Strategy 2015-2031 which was adopted by Council on 23 March 2016. The sections of the Strategy addressing heritage management in general and this site in particular, were endorsed by the Department of Planning & Environment on 15 May 2017.

- Although the subject site is located within the Berrima Landscape Conservation Area, that does not prevent residential development, but rather ensures that impacts, especially visual impacts, are minimised through more stringent controls.
- There is limited remaining residential capacity within Berrima Village and the provision of four (4) additional dwellings towards the meeting of Wingecarribee housing needs, as requested by the Department, is considered a positive outcome without adversely impacting the heritage value of the village.

**Planning Proposal #3 - Lot 109 DP 664112, 2 Wilson Drive, Hill Top – amend Schedule 1 to permit residential dwelling.**

Direction	Assessment
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	NA
1.2 Rural Zones	NA
1.3 Mining, Petroleum Production and Extractive Industries	The site is not identified under the Minerals and Extractive Resources Land Map
1.4 Oyster Aquaculture	NA
1.5 Rural Lands	The PP meets the following objective of the SEPP Rural Lands (2008) in providing for housing that contribute(s) to the social and economic welfare of rural communities,
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	The environmental integrity of existing native vegetation is to be preserved as the proposed MLS of 4 ha and maintenance of an E3 zoning will prohibit further subdivision of the property.
2.2 Coastal Protection	NA
2.3 Heritage Conservation	NA
2.4 Recreation Vehicle Areas	NA
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	NA
3.2 Caravan Parks and Manufactured Home Estates	NA
3.3 Home Occupations	NA
3.4 Integrating Land Use and Transport	NA
3.5 Development Near Licensed Aerodromes	NA
3.6 Shooting Ranges	NA
<b>4. Hazard and Risk</b>	

4.1 Acid Sulfate Soils	The site is not mapped as being associated with Acid Sulphate Soils.
4.2 Mine Subsidence and Unstable Land	Reference is to be made to Council's Mine Subsidence mapping records.
4.3 Flood Prone Land	The subject site is not identified by Council as Flood Liable Land.
4.4 Planning for Bushfire Protection	The subject site is identified as Bushfire Prone Land and a BFRA Report is to accompany any future DA for a dwelling.
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies NB: This Direction has been revised to include previous Directions 5.6 and 5.7.	The PP is consistent with Regional Strategies as demonstrated within Part 3 of this report.
5.2 Sydney Drinking Water Catchments	The PP requires the concurrence of Water NSW is being identified under the SEPP Sydney Drinking Water Catchment (2011).
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	NA
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	NA
5.8 Second Sydney Airport: Badgerys Creek	NA
5.9 North West Rail Link Corridor Strategy	NA
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	Water NSW approval required.
6.2 Reserving Land for Public Purposes	NA
6.3 Site Specific Provisions	A MLS of 4 hectares to apply to Lot 109 DP 664112 under WLEP 2010 Lot Size Map Ref: LSZ_006B is required.
<b>Additional Council Comment</b>	
Council's initial assessment of the submission concluded that the proposed amendment to the subject site is <u>CONSISTENT</u> with this Direction and no further comment is required.	



**Planning Proposal #4 - Rezone land at Mittagong railway station from SP2 Rail Infrastructure to B4 Mixed Use, height 10 metres, FSR 0.5:1.**

DIRECTION	CONSISTENCY
<b>1. Employment and Resources</b> <b>1.1 Business and Industrial Zones</b>	
4) A planning proposal must: a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones,	The proposal retains the areas and locations of existing business and industrial zones.
c) not reduce the total potential floor space area for employment uses and related public services in business zones,	The proposal relates to land currently devoid of employment uses. The site is not included in the total potential floor space area for employment uses and related public services in the business zones of Mittagong. It adds to the availability of such land.
(e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.	The proposal will generate new employment that is consistent with a strategy approved by the Director-General of the Department of Planning. This will be further outlined in the subsequent development application.
<b>2. Environment and Heritage</b> <b>2.3 Heritage Conservation</b>	
(4) A planning proposal must contain provisions that facilitate the conservation of: 1. (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,	The proposal will involve the restoration of the Old Goods Shed and be consistent with the Mittagong Railway Heritage Precinct.  This will be further outlined in the subsequent development application.
<b>5. Regional Planning</b> <b>5.1 Implementation of Regional Strategies</b>	
(2) This direction applies to land to which the following regional strategies apply: (e) Sydney–Canberra Corridor Regional Strategy	The proposal will be consistent with the Canberra-Sydney Corridor Regional Strategy – See further above.
<b>5.2 Sydney Drinking Water Catchment</b>	The proposal will be consistent with the Sydney Drinking Water Catchment Authority

#### Additional Council Comment

Council's initial assessment of the submission concluded that the proposed amendment to the subject site is **CONSISTENT** with this Direction and no further comment is required.

**Planning Proposal #5 - Lot 15 DP 15496 (12 Gibraltar Road Bowral), Lot 114 DP 15496 (14 Gibraltar Road Bowral), Lot 112 DP 15496 (18 Gibraltar Road Bowral), Lot 103 DP 15496 (7 Gibraltar Road Bowral), Lot 105 DP 15496 (11 Gibraltar Road Bowral), Lot 106 DP 15496 (13 Gibraltar Road Bowral), Part Lot 107 DP 15496 (15 Gibraltar Road Bowral), Lot 108 DP 15496 (17 Gibraltar Road Bowral) and Lot 109 DP 15496 (19 Gibraltar Road Bowral) – apply minimum lot size of 1 hectare.**

Direction	Assessment
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	NA
1.2 Rural Zones	NA
1.3 Mining, Petroleum Production and Extractive Industries	The site is not identified under the Minerals and Extractive Resources Land Map
1.4 Oyster Aquaculture	NA
1.5 Rural Lands	The PP meets the following objective of the SEPP Rural Lands (2008) in providing for housing that contribute(s) to the social and economic welfare of rural Communities.



<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	The subject site is zoned E4 Environmental Living. No impact upon existing native vegetation will result from support for the Planning Proposal.
2.2 Coastal Protection	NA
2.3 Heritage Conservation	NA
2.4 Recreation Vehicle Areas	NA
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	NA
3.2 Caravan Parks and Manufactured Home Estates	NA
3.3 Home Occupations	NA
3.4 Integrating Land Use and Transport	NA
3.5 Development Near Licensed Aerodromes	NA
3.6 Shooting Ranges	NA
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	The site is not mapped as being associated with Acid Sulphate Soils.
4.2 Mine Subsidence and Unstable Land	The site is not identified within Council's Mine Subsidence mapping records. A geotechnical assessment of site stability would be a requirement for any future Development Application received by Council.
4.3 Flood Prone Land	The subject site is not identified by Council as Flood Liable Land.
4.4 Planning for Bushfire Protection	The subject site is identified as Bushfire Prone Land (Buffer) and a BFRA Report is to accompany any future Development Application for subdivision in accordance with Section 100B of the Rural Fires Act 1997
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	Water NSW approval required.
6.2 Reserving Land for Public Purposes	NA
6.3 Site Specific Provisions	An amendment to the MLS of 4 hectares to 1 hectare is required for Lot 107 DP 15496 under WLEP 2010 Lot Size Map Ref: LSZ_007J in order to support the Planning Proposal.

#### Additional Council Comment

Council's initial assessment of the submission concluded that the proposed amendment to the subject site is **CONSISTENT** with this Direction and no further comment is required.



**Planning Proposal #6 - Lot 50 DP556644, 2A Cliff Street, Bowral - amend Schedule 1 to permit development for the purposes of a two lot residential subdivision.**

Direction	Assessment
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	NA
1.2 Rural Zones	
1.3 Mining, Petroleum Production and Extractive Industries	NA
1.4 Oyster Aquaculture	NA
1.5 Rural Lands	NA
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	NA
2.2 Coastal Protection	NA
2.3 Heritage Conservation	The land is not a listed item of heritage within Schedule 5 of the WLEP2010, nor is it in immediate proximity to any listed item. It is not within the Bowral Heritage Conservation Area..
2.4 Recreation Vehicle Areas	NA
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	The Planning Proposal seeks to reduce the minimum lot size for the subdivision of the site. In this case, a smaller lot size does not impact upon the 'density' of housing upon the land because there are already two dwellings occupying the land. The

<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies NB: This Direction has been revised to include previous Directions 5.6 and 5.7.	The Sydney – Canberra Corridor Regional Strategy is in place and therefore relevant. The PP is not inconsistent with the broad intent of the Regional Strategy that identifies Bowral as a main centre including for the provision of housing.
5.2 Sydney Drinking Water Catchments	The proposed change of minimum lot size would not impact upon the requirements of the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011. The two dwellings are existing so there would be no change in either storm water management or effluent disposal (the site is connected to the sewerage system). Any development proposal to subdivide would need to demonstrate a neutral or beneficial effect on water quality as a result of the development and this would easily be achieved as there would be no change to the on ground conditions. The PP is not inconsistent with the Direction
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	NA
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	NA
5.8 Second Sydney Airport: Badgerys Creek	NA
5.9 North West Rail Link Corridor Strategy	NA
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	A PP that simply seeks to change the

	minimum lot size applicable to the site is not inconsistent with the Direction
6.2 Reserving Land for Public Purposes	NA
6.3 Site Specific Provisions	<p>The PP does propose site specific provisions in the sense that a different minimum lot size would apply only to the subject land. Whereas the standard minimum for land within the R5 Large Lot Residential zone is 4000sqm, the PP seeks a minimum of 300sqm, which would not be repeated for any other land. This may be seen as unusual, but in reality Council can choose a range of lot sizes to suit any of the land use zones within the WLEP2010. The 4000sqm chosen for the R5 Large Lot zone is no more than a comparative figure to the old 1 acre lot size. It is not based on any particular studies or evidence that have determined this figure to be the optimum size for this zone.</p> <p>Future development proposals can be assessed under the provisions of Section 79C of the EPA Act</p>

#### Additional Council Comment

Council's initial assessment of the submission concluded that the proposed amendment to the subject site is **CONSISTENT** with this Direction and no further comment is required.

#### Planning Proposal #7 - Lot 22 DP792646, Wyeera, 460 Kangaloon Road, Bowral – rezone from E3 Environmental Management to RE2 Private Recreation.

Direction	Assessment
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	NA
1.2 Rural Zones	NA
1.3 Mining, Petroleum Production and Extractive Industries	NA
1.4 Oyster Aquaculture	NA
1.5 Rural Lands	NA
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	<p>The land is currently within the E3 Environmental Management zone of WLEP2010.</p> <p>This Direction does not allow a PP to</p>

	<p>reduce environmental protection standards that apply to the land.</p> <p>There are no particular environmental protection standards within the WLEP2010 that apply to the E3 zone. The WLEP2010 has natural resources sensitivity mapping for biodiversity and water. The site is not affected by any mapped water courses or biodiversity corridors. It does not contain any mapped native vegetation.</p> <p>The proposed change of zone would not alter the requirement for any development proposal (future use or additional infrastructure or buildings) to properly consider relevant environmental issues.</p> <p>The PP is not inconsistent with the Direction.</p>
2.2 Coastal Protection	NA
2.3 Heritage Conservation	The land is not a listed item of heritage nor is it within any Conservation Area under WLEP2010. It is considered that the PP would not give rise to development outcomes contrary to any heritage sensitivities of the land or the locality.
2.4 Recreation Vehicle Areas	NA
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	NA
3.2 Caravan Parks and Manufactured Home Estates	NA
3.3 Home Occupations	NA
3.4 Integrating Land Use and Transport	NA
3.5 Development Near Licensed Aerodromes	NA
3.6 Shooting Ranges	NA
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	NA
4.2 Mine Subsidence and Unstable Land	NA
4.3 Flood Prone Land	The site is not mapped on Flood Planning Area Maps of the WLEP2010.
4.4 Planning for Bushfire Protection	The subject land is not mapped as bushfire prone land on Council's Bushfire Hazard Maps.
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies NB: This Direction has been revised to include previous Directions 5.6 and 5.7.	The Sydney – Canberra Corridor Regional Strategy is in place and therefore relevant as will be the South East and Tablelands Regional Plan when it is formally adopted.
5.2 Sydney Drinking Water Catchments	The proposed amendment to WLEP2010



	<p>would still require any future development of the land to properly consider the requirements of the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011.</p> <p>Any development proposal would need to demonstrate a neutral or beneficial effect on water quality as a result of the development.</p> <p>In recent times, considerable work has been done by the Bong Bong Picnic Race Club Ltd in relation to effluent disposal on the site. Council has issued an approval in August 2015 for an upgraded septic system following comprehensive assessment work undertaken by Strategic Environmental Engineering Consulting (SEEC). WaterNSW have been involved in that assessment process for the upgrade. These works make the site more suitable for the conduct of events and activities.</p> <p>The PP is not inconsistent with the Direction</p>
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5.3 Farmland of State and Regional Significance on the NSW Far North Coast	NA
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	NA
5.8 Second Sydney Airport: Badgerys Creek	NA
5.9 North West Rail Link Corridor Strategy	NA
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	A PP that seeks to amend the zoning of land to reflect its current and proposed use is not inconsistent with the Direction.
6.2 Reserving Land for Public Purposes	NA
6.3 Site Specific Provisions	The PP does not propose to have any site specific provisions. The proposed RE2 Public Recreation zoning is a specific zone but one that appropriately relates to the site characteristics.

#### Additional Council Comment

Council's initial assessment of the submission concluded that the proposed amendment to the subject site is **CONSISTENT** with this Direction and no further comment is required.





## ENVIRONMENTAL, SOCIAL & ECONOMIC IMPACTS

The Planning Proposals contained within this document have been individually assessed with regard to environmental, social and economic impacts and it has been determined that there is sufficient strategic merit to support them. All are contained within the Wingecarribee Local Planning Strategy 2015-2031 endorsed on 15 May 2017. All Proposals have been reviewed by staff from the NSW Department of Planning and Environment.

## STATE & COMMONWEALTH INTERESTS

No public infrastructure is required for any proposed amendment.

## REFERRALS & CONSULTATION

Referral to Water NSW will occur as required under the Gateway Determination. Any other referrals required will also be undertaken prior to public consultation of the Planning Proposal.

Community consultation will occur as directed in the Gateway Determination and in accordance with the Department's Guide to preparing LEPs. It is noted that Council normally provides at least 28 days of public exhibition which includes weekly advertising in the Southern Highland News for the duration of the exhibition period and notification by letter/email to property owners deemed affected by the Proposal where appropriate.

Details of the Planning Proposal and all relevant documentation are provided on Council's website. Relevant material is also provided at the Customer Service Counter at the Civic Centre and at all libraries including Council's Rural Outreach & Delivery Service (ROADS) Mobile Library.

## PROPOSED TIMELINE

It is anticipated that the Planning Proposal will progress in accordance with the following key timeline milestones:

MILESTONE	INDICATIVE DATE
Gateway Determination	May 2018
Agency Consultation	June 2018
Public Exhibition	July 2018
Report to Council on exhibition of Planning Proposal.	August 2018
S.3.36 Documents to DP&E & PCO.	August 2018
Approximate completion date	September 2018

## DELEGATIONS

Council is applying to use its delegations to complete this Proposal. The Department's form *Evaluation Criteria for Delegation of Plan Making Functions* has been attached for consideration.